

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 99-554

August 19, 1999

BANGOR HYDRO-ELECTRIC COMPANY
Proposed Tariff for Voluntary
Interruptible Rates

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

In this Order, we approve rate schedules filed by Bangor Hydro-Electric Company (BHE) that allow for the implementation of a summer voluntary interruptible rate in conjunction with the ISO-NE's emergency load response program.

On August 12, 1999, BHE filed, pursuant to 35-A M.R.S.A. § 307, Schedule IR-ISO, Original. In its filing, BHE explains that the proposed rate schedule will allow the Company to implement the ISO-NE's emergency load response program, filed with the Federal Energy Regulatory Commission on August 6, 1999. The ISO-NE filing was made in response to the recent hot weather conditions in New England that have heavily stressed on both the power system and the market by increasing demand for electricity to record levels. The program was designed by ISO-NE to help alleviate the problem. Consistent with the ISO-NE's rule, the proposed rate schedules contain a demand interruption credit of \$8 per kilowatt per interruption based on the actual load relief provided. BHE requests that the Commission permit the rate schedules to go into effect immediately.

Upon review, we conclude that, because the ISO-NE load response program is an effort to maintain system reliability at times of extreme demand, it is reasonable for BHE to have a rate schedule to allow it to implement the ISO-NE's program. For good cause, we will allow the rate schedule to become effective on the date of this Order. Pursuant to the terms of the rate schedule, the availability of the interruptible rate expires on September 30, 1999, the same time that ISO-NE program terminates. Finally, because BHE is, in effect, acting as a agent of the ISO-NE in maintaining the reliability of the system in emergency circumstances, it is reasonable that BHE be allowed to defer costs billed to it by the ISO-NE pursuant to the program.¹

Accordingly, we

O R D E R

¹ BHE did not ask to defer these costs. However, Central Maine Power Company requested to defer these costs in its filing to implement the ISO-NE interruptible rate program (Docket No. 99-545). There appears to be no reason to distinguish between the two utilities in this regard.

1. That Rate Schedule IR-ISO, Original, filed on August 12, 1999, is hereby approved and shall be effective on the date of this Order.

2. That Bangor Hydro-Electric Company is hereby authorized to defer in an appropriate deferred debit account all costs billed to it by the ISO-NE pursuant to the ISO-NE emergency load response program.

Dated at Augusta, Maine, this 19th day of August, 1999.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.